

REMARKS

1. The Office Action has rejected Claims 1 – 14 and 21 – 25 under the provisions of 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim matter regarded as the invention. More particularly, independent Claims 1 and 21 were deemed indefinite due to the claim having a conflict within itself as the grasp portion is defined as being formed of light emitting material, but that the informational image has no light emitting material. With respect to independent Claim 9, the handle cannot be formed purely of phosphorescent material, and further the claim has a conflict in that the formation of the handle of such material and then defining the informational images as not having such material. This rejection is respectfully traversed.

Applicant would direct the Examiner's attention to the amendments to Claims 1, 9 and 21 above to define that the handle, which is formed of light emitting material (or material that includes phosphorescent material), is also formed with a hole therein that is shaped as an informational image, the image being visible due to the light emitting material surrounding the hole, though the hole itself has no material therein. With respect to Claim 9, additional amendments define the handle as being formed of material that includes phosphorescent material, with holes being formed in the handle in the shape of informational images. These informational images are visible due to the glow of the material surrounding the respective hole.

In view of the amendments made to the independent claims above, Applicant respectfully submit that this rejection has been overcome. Accordingly, Applicant respectfully request that this rejection be reconsidered and withdrawn.

2. The Office Action has rejected Claims 9 – 13 as being unpatentable over U. S. Patent No. 6,349,984 (Marrazzo) in view of U. S. Patent No. 6,369,395 (Roessler). The Office Action states that it would be obvious to use the bare images of Roessler in the apparatus of Marrazzo to make the image contrast with the background. Furthermore, the Office Action states that Claim 9 does not require a hole being formed in the handle. This rejection is respectfully traversed.

Contrary to the assertions in the Office Action, the previous amendments to Claim 9 required a hole being formed in the handle to define open informational images. Nevertheless, Applicant have further amended independent Claim 9 to better define Applicant's invention. More particularly, the holes are defined as being in the shape of information images with the images being visible when the material surrounding said informational image glows due to said phosphorescent material being present.

As previously discussed, independent Claim 9 is now clearly limited to define that the images are formed by holes in the structure such that no material, including any phosphorescent material, is within the informational images defined by the formed holes, such that the images are visible due to the material surrounding the respective informational image. Accordingly, Marrazzo and Roessler cannot meet or make obvious the device defined by the limitations of amended independent Claim 9. Dependent Claims 10 – 14 provide additional structural limitations to further define Applicant's invention and should be passed to allowance with Claim 9 from which they depend.

In view of the amendments made above, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

3. The Office Action has indicated that Claims 14 and 21 – 25 would be allowable if amended to overcome the 112 rejection due to the incorporation of a limitation directed to the deformable clip member formed on the shaft portion. The Office Action has also objected to Claim 14 as being dependent on a rejected base claim.

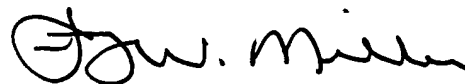
Applicant believes that the 112 rejection has been overcome, as is set forth in Paragraph 1 above. Applicant would prefer to leave Claim 14 in a dependent form as presented. Applicant respectfully request that Claims 14 and 21 – 25 be passed to allowance with the other remaining claims in this application.

4. In summary, Claims 1, 3, 9 and 21 have been amended and Claims 1 – 14 and 21 – 25 remain in the application. Applicant believes that the claims are allowable based on the foregoing amendments. Applicant respectfully requests that all objections and rejections be reconsidered and withdrawn and that all claims remaining in this case be allowed.

Pursuant to currently recommended Patent Office practice, the Examiner is expressly authorized to call the undersigned attorney if in his judgment disposition of this application could be expedited or if he considers the case ready for final disposition by other than allowance.

Respectfully submitted,

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